

1 **BATHAEE DUNNE LLP**

2 Yavar Bathaee (CA 282388)
yavar@bathaeedunne.com
3 Andrew C. Wolinsky (CA 345965)
awolinsky@bathaeedunne.com
4 445 Park Avenue, 9th Floor
New York, NY 10022
5 (332) 322-8835

6 Brian J. Dunne (CA 275689)
bdunne@bathaeedunne.com
7 Edward M. Grauman (*pro hac vice*)
egrauman@bathaeedunne.com
8 901 S. MoPac Expressway
Barton Oaks Plaza I, Suite 300
9 Austin, TX 78746
10 (213) 462-2772

11 *Interim Co-Lead Counsel for the*
12 *Advertiser Classes*

1 **SCOTT+SCOTT ATTORNEYS AT LAW LLP**

2 Amanda F. Lawrence (*pro hac vice*)
alawrence@scott-scott.com
3 Patrick J. McGahan (*pro hac vice*)
pmcgahan@scott-scott.com
Michael P. Srodoski (*pro hac vice*)
msrodoski@scott-scott.com
156 South Main Street, P.O. Box 192
Colchester, CT 06415
Tel.: (860) 537-5537

6 Patrick J. Coughlin (CA 111070)
pcoughlin@scott-scott.com
Carmen A. Medici (CA 248417)
cmedici@scott-scott.com
Hal D. Cunningham (CA 243048)
hcunningham@scott-scott.com
Daniel J. Brockwell (CA 335983)
dbrockwell@scott-scott.com
600 W. Broadway, Suite 3300
San Diego, CA 92101
Tel.: (619) 233-4565

13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 SAN FRANCISCO DIVISION

16 MAXIMILIAN KLEIN, et al.,

17 Plaintiffs,

18 v.

19 META PLATFORMS, INC.,

20 Defendant.

21 Case No. 20-cv-08570-JD

22 Hon. James Donato

23 **DECLARATION OF BRIAN J. DUNNE
IN SUPPORT OF ADVERTISER
PLAINTIFFS' ADMINISTRATIVE
MOTION TO CONSIDER WHETHER
META PLATFORMS, INC.'S MATERIAL
SHOULD BE SEALED**

1 I, Brian J. Dunne, declare and state as follows:

2 1. I am an attorney licensed in the State of California and admitted to the United States
3 District Court for the Northern District of California. I am a partner at Bathaee Dunne LLP, counsel for
4 the Advertiser Plaintiffs in the above-captioned matter. I have personal knowledge of the facts set forth
5 herein and, if called as a witness, could and would testify competently to them.

6 2. This declaration is made in support of Advertiser Plaintiffs' Administrative Motion to
7 Consider Whether Meta Platforms, Inc.'s Material Should Be Sealed, filed in connection with the
8 concurrently filed discovery dispute letter.

9 3. Certain documents and information referenced in the discovery dispute letter have been
10 designated by Defendant Meta Platforms, Inc., as "Confidential" or "Highly Confidential" under the
11 Stipulated Protective Order (Dkt. No. 314).

12 4. Portions of the discovery dispute letter referencing or reflecting the contents of the
13 documents and information designated by Meta Platforms as "Confidential" or "Highly Confidential"
14 have been redacted from the publicly filed version of the letter. *See Civil L.R. 79-5(e)(1).*

15 5. An unredacted version of the discovery dispute letter with these references highlighted
16 in yellow is filed herewith. *See Civil L.R. 79-5(e)(2), (f)(1).*

17 6. The discovery dispute letter also contains information designated as "Confidential" or
18 "Highly Confidential" by nonparty Snap Inc. This information has also been redacted from the publicly-
19 filed letter, and has been highlighted in green in the unredacted letter filed with this motion.

20 7. Additionally, the Meta interrogatory responses that constitute Exhibits B and C to this
21 letter have been designated "Highly Confidential" by defendant Meta Platforms, Inc.

22 8. Exhibits B and C have not been publicly filed, but rather slipsheets have been filed along
23 with the publicly filed version of the letter.

24 9. Unredacted versions of Exhibits B and C have been filed with this administrative
25 motion.

26 10. Advertiser Plaintiffs' request is limited to documents and information produced by Meta
27 Platforms marked Confidential or Highly Confidential, or information directly reflecting documents
28

1 and information produced by Meta Platforms marked Confidential or Highly Confidential. This request
2 is thus narrowly tailored to seek sealing only of potentially sealable material.

3 11. The potential sealing of information designated as “Confidential” or “Highly
4 Confidential” by Snap Inc. in the discovery dispute letter is subject to a separate Administrative Motion
5 to Consider Whether Snap Inc.’s Material Should be Sealed.

6 I declare under penalty of perjury that the foregoing is true and correct.

7 Executed on May 31, 2023, in Austin, Texas.

/s/ Brian J. Dunne

Brian J. Dunne